

1 AN ACT in relation to support.

2 Be it enacted by the People of the State of Illinois,
3 represented in the General Assembly:

4 Section 5. The Illinois Marriage and Dissolution of
5 Marriage Act is amended by adding Sections 714 and 715 as
6 follows:

7 (750 ILCS 5/714 new)

8 Sec. 714. Willful default on support; penalties.
9 Beginning on the effective date of this amendatory Act of the
10 92nd General Assembly, a person who willfully defaults on an
11 order for child support issued by an Illinois court may be
12 subject to summary criminal contempt proceedings.

13 Each State agency, as defined in the Illinois State
14 Auditing Act, shall suspend a license or certificate issued
15 by that agency to a person found guilty of criminal contempt
16 under this Section. The suspension shall remain in effect
17 until all defaults on an order for child support are
18 satisfied.

19 This Section applies to an order for child support issued
20 under the Illinois Public Aid Code, the Illinois Marriage and
21 Dissolution of Marriage Act, the Non-Support of Spouse and
22 Children Act, the Non-Support Punishment Act, the Illinois
23 Parentage Act of 1984, the Uniform Interstate Family Support
24 Act, or the Revised Uniform Reciprocal Enforcement of Support
25 Act.

26 (750 ILCS 5/715 new)

27 Sec. 715. Information to locate obligors. As used in
28 this Section, "obligor" means an individual who owes a duty
29 to make payments under an order for child support. The
30 State's Attorney or any other appropriate State official may

1 request and is entitled to receive information from
2 employers, telephone companies, and utility companies to
3 locate an obligor who has defaulted on child support
4 payments.

5 Section 10. The Illinois Public Aid Code is amended by
6 changing 10-10 as follows:

7 (305 ILCS 5/10-10) (from Ch. 23, par. 10-10)

8 Sec. 10-10. Court enforcement; applicability also to
9 persons who are not applicants or recipients. Except where
10 the Illinois Department, by agreement, acts for the local
11 governmental unit, as provided in Section 10-3.1, local
12 governmental units shall refer to the State's Attorney or to
13 the proper legal representative of the governmental unit, for
14 judicial enforcement as herein provided, instances of
15 non-support or insufficient support when the dependents are
16 applicants or recipients under Article VI. The Child and
17 Spouse Support Unit established by Section 10-3.1 may
18 institute in behalf of the Illinois Department any actions
19 under this Section for judicial enforcement of the support
20 liability when the dependents are (a) applicants or
21 recipients under Articles III, IV, V or VII (b) applicants or
22 recipients in a local governmental unit when the Illinois
23 Department, by agreement, acts for the unit; or (c)
24 non-applicants or non-recipients who are receiving support
25 enforcement services under this Article X, as provided in
26 Section 10-1. Where the Child and Spouse Support Unit has
27 exercised its option and discretion not to apply the
28 provisions of Sections 10-3 through 10-8, the failure by the
29 Unit to apply such provisions shall not be a bar to bringing
30 an action under this Section.

31 Action shall be brought in the circuit court to obtain
32 support, or for the recovery of aid granted during the period

1 such support was not provided, or both for the obtainment of
2 support and the recovery of the aid provided. Actions for
3 the recovery of aid may be taken separately or they may be
4 consolidated with actions to obtain support. Such actions
5 may be brought in the name of the person or persons requiring
6 support, or may be brought in the name of the Illinois
7 Department or the local governmental unit, as the case
8 requires, in behalf of such persons.

9 The court may enter such orders for the payment of moneys
10 for the support of the person as may be just and equitable
11 and may direct payment thereof for such period or periods of
12 time as the circumstances require, including support for a
13 period before the date the order for support is entered. The
14 order may be entered against any or all of the defendant
15 responsible relatives and may be based upon the proportionate
16 ability of each to contribute to the person's support.

17 The Court shall determine the amount of child support
18 (including child support for a period before the date the
19 order for child support is entered) by using the guidelines
20 and standards set forth in subsection (a) of Section 505 and
21 in Section 505.2 of the Illinois Marriage and Dissolution of
22 Marriage Act. For purposes of determining the amount of child
23 support to be paid for a period before the date the order for
24 child support is entered, there is a rebuttable presumption
25 that the responsible relative's net income for that period
26 was the same as his or her net income at the time the order
27 is entered.

28 If (i) the responsible relative was properly served with
29 a request for discovery of financial information relating to
30 the responsible relative's ability to provide child support,
31 (ii) the responsible relative failed to comply with the
32 request, despite having been ordered to do so by the court,
33 and (iii) the responsible relative is not present at the
34 hearing to determine support despite having received proper

1 notice, then any relevant financial information concerning
2 the responsible relative's ability to provide child support
3 that was obtained pursuant to subpoena and proper notice
4 shall be admitted into evidence without the need to establish
5 any further foundation for its admission.

6 An order entered under this Section shall include a
7 provision requiring the obligor to report to the obligee and
8 to the clerk of court within 10 days each time the obligor
9 obtains new employment, and each time the obligor's
10 employment is terminated for any reason. The report shall be
11 in writing and shall, in the case of new employment, include
12 the name and address of the new employer. Failure to report
13 new employment or the termination of current employment, if
14 coupled with nonpayment of support for a period in excess of
15 60 days, is indirect criminal contempt. For any obligor
16 arrested for failure to report new employment bond shall be
17 set in the amount of the child support that should have been
18 paid during the period of unreported employment. An order
19 entered under this Section shall also include a provision
20 requiring the obligor and obligee parents to advise each
21 other of a change in residence within 5 days of the change
22 except when the court finds that the physical, mental, or
23 emotional health of a party or that of a minor child, or
24 both, would be seriously endangered by disclosure of the
25 party's address.

26 The Court shall determine the amount of maintenance using
27 the standards set forth in Section 504 of the Illinois
28 Marriage and Dissolution of Marriage Act.

29 Any new or existing support order entered by the court
30 under this Section shall be deemed to be a series of
31 judgments against the person obligated to pay support
32 thereunder, each such judgment to be in the amount of each
33 payment or installment of support and each such judgment to
34 be deemed entered as of the date the corresponding payment or

1 installment becomes due under the terms of the support order.
2 Each such judgment shall have the full force, effect and
3 attributes of any other judgment of this State, including the
4 ability to be enforced. Any such judgment is subject to
5 modification or termination only in accordance with Section
6 510 of the Illinois Marriage and Dissolution of Marriage Act.
7 A lien arises by operation of law against the real and
8 personal property of the noncustodial parent for each
9 installment of overdue support owed by the noncustodial
10 parent.

11 An order for child support entered under this Section is
12 subject to Section 714 of the Illinois Marriage and
13 Dissolution of Marriage Act.

14 When an order is entered for the support of a minor, the
15 court may provide therein for reasonable visitation of the
16 minor by the person or persons who provided support pursuant
17 to the order. Whoever willfully refuses to comply with such
18 visitation order or willfully interferes with its enforcement
19 may be declared in contempt of court and punished therefor.

20 Except where the local governmental unit has entered into
21 an agreement with the Illinois Department for the Child and
22 Spouse Support Unit to act for it, as provided in Section
23 10-3.1, support orders entered by the court in cases
24 involving applicants or recipients under Article VI shall
25 provide that payments thereunder be made directly to the
26 local governmental unit. Orders for the support of all other
27 applicants or recipients shall provide that payments
28 thereunder be made directly to the Illinois Department. In
29 accordance with federal law and regulations, the Illinois
30 Department may continue to collect current maintenance
31 payments or child support payments, or both, after those
32 persons cease to receive public assistance and until
33 termination of services under Article X. The Illinois
34 Department shall pay the net amount collected to those

1 persons after deducting any costs incurred in making the
2 collection or any collection fee from the amount of any
3 recovery made. In both cases the order shall permit the
4 local governmental unit or the Illinois Department, as the
5 case may be, to direct the responsible relative or relatives
6 to make support payments directly to the needy person, or to
7 some person or agency in his behalf, upon removal of the
8 person from the public aid rolls or upon termination of
9 services under Article X.

10 If the notice of support due issued pursuant to Section
11 10-7 directs that support payments be made directly to the
12 needy person, or to some person or agency in his behalf, and
13 the recipient is removed from the public aid rolls, court
14 action may be taken against the responsible relative
15 hereunder if he fails to furnish support in accordance with
16 the terms of such notice.

17 Actions may also be brought under this Section in behalf
18 of any person who is in need of support from responsible
19 relatives, as defined in Section 2-11 of Article II who is
20 not an applicant for or recipient of financial aid under this
21 Code. In such instances, the State's Attorney of the county
22 in which such person resides shall bring action against the
23 responsible relatives hereunder. If the Illinois Department,
24 as authorized by Section 10-1, extends the support services
25 provided by this Article to spouses and dependent children
26 who are not applicants or recipients under this Code, the
27 Child and Spouse Support Unit established by Section 10-3.1
28 shall bring action against the responsible relatives
29 hereunder and any support orders entered by the court in such
30 cases shall provide that payments thereunder be made directly
31 to the Illinois Department.

32 Whenever it is determined in a proceeding to establish or
33 enforce a child support or maintenance obligation that the
34 person owing a duty of support is unemployed, the court may

1 order the person to seek employment and report periodically
2 to the court with a diary, listing or other memorandum of his
3 or her efforts in accordance with such order. Additionally,
4 the court may order the unemployed person to report to the
5 Department of Employment Security for job search services or
6 to make application with the local Job Jobs Training
7 Partnership Act provider for participation in job search,
8 training or work programs and where the duty of support is
9 owed to a child receiving support services under this Article
10 X, the court may order the unemployed person to report to the
11 Illinois Department for participation in job search, training
12 or work programs established under Section 9-6 and Article
13 IXA of this Code.

14 Whenever it is determined that a person owes past-due
15 support for a child receiving assistance under this Code, the
16 court shall order at the request of the Illinois Department:

17 (1) that the person pay the past-due support in
18 accordance with a plan approved by the court; or

19 (2) if the person owing past-due support is
20 unemployed, is subject to such a plan, and is not
21 incapacitated, that the person participate in such job
22 search, training, or work programs established under
23 Section 9-6 and Article IXA of this Code as the court
24 deems appropriate.

25 A determination under this Section shall not be
26 administratively reviewable by the procedures specified in
27 Sections 10-12, and 10-13 to 10-13.10. Any determination
28 under these Sections, if made the basis of court action under
29 this Section, shall not affect the de novo judicial
30 determination required under this Section.

31 A one-time charge of 20% is imposable upon the amount of
32 past-due child support owed on July 1, 1988 which has accrued
33 under a support order entered by the court. The charge shall
34 be imposed in accordance with the provisions of Section 10-21

1 of this Code and shall be enforced by the court upon
2 petition.

3 All orders for support, when entered or modified, shall
4 include a provision requiring the non-custodial parent to
5 notify the court and, in cases in which a party is receiving
6 child and spouse support services under this Article X, the
7 Illinois Department, within 7 days, (i) of the name, address,
8 and telephone number of any new employer of the non-custodial
9 parent, (ii) whether the non-custodial parent has access to
10 health insurance coverage through the employer or other group
11 coverage and, if so, the policy name and number and the names
12 of persons covered under the policy, and (iii) of any new
13 residential or mailing address or telephone number of the
14 non-custodial parent. In any subsequent action to enforce a
15 support order, upon a sufficient showing that a diligent
16 effort has been made to ascertain the location of the
17 non-custodial parent, service of process or provision of
18 notice necessary in the case may be made at the last known
19 address of the non-custodial parent in any manner expressly
20 provided by the Code of Civil Procedure or this Code, which
21 service shall be sufficient for purposes of due process.

22 An order for support shall include a date on which the
23 current support obligation terminates. The termination date
24 shall be no earlier than the date on which the child covered
25 by the order will attain the age of majority or is otherwise
26 emancipated. The order for support shall state that the
27 termination date does not apply to any arrearage that may
28 remain unpaid on that date. Nothing in this paragraph shall
29 be construed to prevent the court from modifying the order.

30 Upon notification in writing or by electronic
31 transmission from the Illinois Department to the clerk of the
32 court that a person who is receiving support payments under
33 this Section is receiving services under the Child Support
34 Enforcement Program established by Title IV-D of the Social

1 Security Act, any support payments subsequently received by
2 the clerk of the court shall be transmitted in accordance
3 with the instructions of the Illinois Department until the
4 Illinois Department gives notice to the clerk of the court to
5 cease the transmittal. After providing the notification
6 authorized under this paragraph, the Illinois Department
7 shall be entitled as a party to notice of any further
8 proceedings in the case. The clerk of the court shall file a
9 copy of the Illinois Department's notification in the court
10 file. The clerk's failure to file a copy of the notification
11 in the court file shall not, however, affect the Illinois
12 Department's right to receive notice of further proceedings.

13 Payments under this Section to the Illinois Department
14 pursuant to the Child Support Enforcement Program established
15 by Title IV-D of the Social Security Act shall be paid into
16 the Child Support Enforcement Trust Fund. All payments under
17 this Section to the Illinois Department of Human Services
18 shall be deposited in the DHS Recoveries Trust Fund.
19 Disbursements from these funds shall be as provided in
20 Sections 12-9.1 and 12-10.2 of this Code. Payments received
21 by a local governmental unit shall be deposited in that
22 unit's General Assistance Fund.

23 To the extent the provisions of this Section are
24 inconsistent with the requirements pertaining to the State
25 Disbursement Unit under Sections 10-10.4 and 10-26 of this
26 Code, the requirements pertaining to the State Disbursement
27 Unit shall apply.

28 (Source: P.A. 90-18, eff. 7-1-97; 90-539, eff. 6-1-98;
29 90-655, eff. 7-30-98; 90-673, eff. 1-1-99; 90-790, eff.
30 8-14-98; 91-24, eff. 7-1-99; 91-212, eff. 7-20-99; 91-357,
31 eff. 7-29-99; 91-767, eff. 6-9-00; revised 10-24-00.)

32 Section 15. The Non-Support Punishment Act is amended by
33 changing Section 20 as follows:

1 (750 ILCS 16/20)

2 Sec. 20. Entry of order for support; income withholding.

3 (a) In a case in which no court or administrative order
4 for support is in effect against the defendant:

5 (1) at any time before the trial, upon motion of the
6 State's Attorney, or of the Attorney General if the
7 action has been instituted by his office, and upon notice
8 to the defendant, or at the time of arraignment or as a
9 condition of postponement of arraignment, the court may
10 enter such temporary order for support as may seem just,
11 providing for the support or maintenance of the spouse or
12 child or children of the defendant, or both, pendente
13 lite; or

14 (2) before trial with the consent of the defendant,
15 or at the trial on entry of a plea of guilty, or after
16 conviction, instead of imposing the penalty provided in
17 this Act, or in addition thereto, the court may enter an
18 order for support, subject to modification by the court
19 from time to time as circumstances may require, directing
20 the defendant to pay a certain sum for maintenance of the
21 spouse, or for support of the child or children, or both.

22 (b) The court shall determine the amount of child support
23 by using the guidelines and standards set forth in subsection
24 (a) of Section 505 and in Section 505.2 of the Illinois
25 Marriage and Dissolution of Marriage Act.

26 If (i) the non-custodial parent was properly served with
27 a request for discovery of financial information relating to
28 the non-custodial parent's ability to provide child support,
29 (ii) the non-custodial parent failed to comply with the
30 request, despite having been ordered to do so by the court,
31 and (iii) the non-custodial parent is not present at the
32 hearing to determine support despite having received proper
33 notice, then any relevant financial information concerning
34 the non-custodial parent's ability to provide support that

1 was obtained pursuant to subpoena and proper notice shall be
2 admitted into evidence without the need to establish any
3 further foundation for its admission.

4 (c) The court shall determine the amount of maintenance
5 using the standards set forth in Section 504 of the Illinois
6 Marriage and Dissolution of Marriage Act.

7 (d) The court may, for violation of any order under this
8 Section, punish the offender as for a contempt of court, but
9 no pendente lite order shall remain in effect longer than 4
10 months, or after the discharge of any panel of jurors
11 summoned for service thereafter in such court, whichever is
12 sooner.

13 (e) Any order for support entered by the court under this
14 Section shall be deemed to be a series of judgments against
15 the person obligated to pay support under the judgments, each
16 such judgment to be in the amount of each payment or
17 installment of support and each judgment to be deemed entered
18 as of the date the corresponding payment or installment
19 becomes due under the terms of the support order. Each
20 judgment shall have the full force, effect, and attributes of
21 any other judgment of this State, including the ability to be
22 enforced. Each judgment is subject to modification or
23 termination only in accordance with Section 510 of the
24 Illinois Marriage and Dissolution of Marriage Act. A lien
25 arises by operation of law against the real and personal
26 property of the noncustodial parent for each installment of
27 overdue support owed by the noncustodial parent.

28 (e-5) An order for child support entered under this
29 Section is subject to Section 714 of the Illinois Marriage
30 and Dissolution of Marriage Act.

31 (f) An order for support entered under this Section shall
32 include a provision requiring the obligor to report to the
33 obligee and to the clerk of the court within 10 days each
34 time the obligor obtains new employment, and each time the

1 obligor's employment is terminated for any reason. The
2 report shall be in writing and shall, in the case of new
3 employment, include the name and address of the new employer.

4 Failure to report new employment or the termination of
5 current employment, if coupled with nonpayment of support for
6 a period in excess of 60 days, is indirect criminal contempt.
7 For any obligor arrested for failure to report new
8 employment, bond shall be set in the amount of the child
9 support that should have been paid during the period of
10 unreported employment.

11 An order for support entered under this Section shall
12 also include a provision requiring the obligor and obligee
13 parents to advise each other of a change in residence within
14 5 days of the change except when the court finds that the
15 physical, mental, or emotional health of a party or of a
16 minor child, or both, would be seriously endangered by
17 disclosure of the party's address.

18 (g) An order for support entered or modified in a case in
19 which a party is receiving child and spouse support services
20 under Article X of the Illinois Public Aid Code shall include
21 a provision requiring the noncustodial parent to notify the
22 Illinois Department of Public Aid, within 7 days, of the name
23 and address of any new employer of the noncustodial parent,
24 whether the noncustodial parent has access to health
25 insurance coverage through the employer or other group
26 coverage and, if so, the policy name and number and the names
27 of persons covered under the policy.

28 (h) In any subsequent action to enforce an order for
29 support entered under this Act, upon sufficient showing that
30 diligent effort has been made to ascertain the location of
31 the noncustodial parent, service of process or provision of
32 notice necessary in that action may be made at the last known
33 address of the noncustodial parent, in any manner expressly
34 provided by the Code of Civil Procedure or in this Act, which

1 service shall be sufficient for purposes of due process.

2 (i) An order for support shall include a date on which
3 the current support obligation terminates. The termination
4 date shall be no earlier than the date on which the child
5 covered by the order will attain the age of majority or is
6 otherwise emancipated. The order for support shall state that
7 the termination date does not apply to any arrearage that may
8 remain unpaid on that date. Nothing in this subsection shall
9 be construed to prevent the court from modifying the order.

10 (Source: P.A. 91-613, eff. 10-1-99; 91-767, eff. 6-9-00.)

11 Section 20. The Uniform Interstate Family Support Act is
12 amended by changing Section 401 as follows:

13 (750 ILCS 22/401)

14 Sec. 401. Petition to establish support order.

15 (a) If a support order entitled to recognition under
16 this Act has not been issued, a responding tribunal of this
17 State may issue a support order if:

18 (1) the individual seeking the order resides in
19 another state; or

20 (2) the support enforcement agency seeking the
21 order is located in another state.

22 (b) The tribunal may issue a temporary child-support
23 order if:

24 (1) the respondent has signed a verified statement
25 acknowledging parentage;

26 (2) the respondent has been determined by or
27 pursuant to law to be the parent; or

28 (3) there is other clear and convincing evidence
29 that the respondent is the child's parent.

30 (c) Upon finding, after notice and opportunity to be
31 heard, that a respondent owes a duty of support, the tribunal
32 shall issue a support order directed to the respondent and

1 may issue other orders pursuant to Section 305.

2 (d) A child support order entered under this Section is
3 subject to Section 714 of the Illinois Marriage and
4 Dissolution of Marriage Act.

5 (Source: P.A. 90-240, eff. 7-28-97.)

6 Section 25. The Illinois Parentage Act of 1984 is
7 amended by changing Section 14 as follows:

8 (750 ILCS 45/14) (from Ch. 40, par. 2514)

9 Sec. 14. Judgment.

10 (a) (1) The judgment shall contain or explicitly reserve
11 provisions concerning any duty and amount of child support
12 and may contain provisions concerning the custody and
13 guardianship of the child, visitation privileges with the
14 child, the furnishing of bond or other security for the
15 payment of the judgment, which the court shall determine in
16 accordance with the relevant factors set forth in the
17 Illinois Marriage and Dissolution of Marriage Act and any
18 other applicable law of Illinois, to guide the court in a
19 finding in the best interests of the child. In determining
20 custody, joint custody, or visitation, the court shall apply
21 the relevant standards of the Illinois Marriage and
22 Dissolution of Marriage Act. Specifically, in determining the
23 amount of any child support award, the court shall use the
24 guidelines and standards set forth in subsection (a) of
25 Section 505 and in Section 505.2 of the Illinois Marriage and
26 Dissolution of Marriage Act. For purposes of Section 505 of
27 the Illinois Marriage and Dissolution of Marriage Act, "net
28 income" of the non-custodial parent shall include any
29 benefits available to that person under the Illinois Public
30 Aid Code or from other federal, State or local
31 government-funded programs. The court shall, in any event
32 and regardless of the amount of the non-custodial parent's

1 net income, in its judgment order the non-custodial parent to
2 pay child support to the custodial parent in a minimum amount
3 of not less than \$10 per month. In an action brought within 2
4 years after a child's birth, the judgment or order may direct
5 either parent to pay the reasonable expenses incurred by
6 either parent related to the mother's pregnancy and the
7 delivery of the child. The judgment or order shall contain
8 the father's social security number, which the father shall
9 disclose to the court; however, failure to include the
10 father's social security number on the judgment or order does
11 not invalidate the judgment or order.

12 (2) If a judgment of parentage contains no explicit
13 award of custody, the establishment of a support obligation
14 or of visitation rights in one parent shall be considered a
15 judgment granting custody to the other parent. If the
16 parentage judgment contains no such provisions, custody shall
17 be presumed to be with the mother; however, the presumption
18 shall not apply if the father has had physical custody for at
19 least 6 months prior to the date that the mother seeks to
20 enforce custodial rights.

21 (b) The court shall order all child support payments,
22 determined in accordance with such guidelines, to commence
23 with the date summons is served. The level of current
24 periodic support payments shall not be reduced because of
25 payments set for the period prior to the date of entry of the
26 support order. The Court may order any child support
27 payments to be made for a period prior to the commencement of
28 the action. In determining whether and the extent to which
29 the payments shall be made for any prior period, the court
30 shall consider all relevant facts, including the factors for
31 determining the amount of support specified in the Illinois
32 Marriage and Dissolution of Marriage Act and other equitable
33 factors including but not limited to:

34 (1) The father's prior knowledge of the fact and

1 circumstances of the child's birth.

2 (2) The father's prior willingness or refusal to
3 help raise or support the child.

4 (3) The extent to which the mother or the public
5 agency bringing the action previously informed the father
6 of the child's needs or attempted to seek or require his
7 help in raising or supporting the child.

8 (4) The reasons the mother or the public agency did
9 not file the action earlier.

10 (5) The extent to which the father would be
11 prejudiced by the delay in bringing the action.

12 For purposes of determining the amount of child support
13 to be paid for any period before the date the order for
14 current child support is entered, there is a rebuttable
15 presumption that the father's net income for the prior period
16 was the same as his net income at the time the order for
17 current child support is entered.

18 If (i) the non-custodial parent was properly served with
19 a request for discovery of financial information relating to
20 the non-custodial parent's ability to provide child support,
21 (ii) the non-custodial parent failed to comply with the
22 request, despite having been ordered to do so by the court,
23 and (iii) the non-custodial parent is not present at the
24 hearing to determine support despite having received proper
25 notice, then any relevant financial information concerning
26 the non-custodial parent's ability to provide child support
27 that was obtained pursuant to subpoena and proper notice
28 shall be admitted into evidence without the need to establish
29 any further foundation for its admission.

30 (c) Any new or existing support order entered by the
31 court under this Section shall be deemed to be a series of
32 judgments against the person obligated to pay support
33 thereunder, each judgment to be in the amount of each payment
34 or installment of support and each such judgment to be deemed

1 entered as of the date the corresponding payment or
2 installment becomes due under the terms of the support order.
3 Each judgment shall have the full force, effect and
4 attributes of any other judgment of this State, including the
5 ability to be enforced. A lien arises by operation of law
6 against the real and personal property of the noncustodial
7 parent for each installment of overdue support owed by the
8 noncustodial parent.

9 (c-5) An order for child support entered under this
10 Section is subject to Section 714 of the Illinois Marriage
11 and Dissolution of Marriage Act.

12 (d) If the judgment or order of the court is at variance
13 with the child's birth certificate, the court shall order
14 that a new birth certificate be issued under the Vital
15 Records Act.

16 (e) On request of the mother and the father, the court
17 shall order a change in the child's name. After hearing
18 evidence the court may stay payment of support during the
19 period of the father's minority or period of disability.

20 (f) If, upon a showing of proper service, the father
21 fails to appear in court, or otherwise appear as provided by
22 law, the court may proceed to hear the cause upon testimony
23 of the mother or other parties taken in open court and shall
24 enter a judgment by default. The court may reserve any order
25 as to the amount of child support until the father has
26 received notice, by regular mail, of a hearing on the matter.

27 (g) A one-time charge of 20% is imposable upon the
28 amount of past-due child support owed on July 1, 1988 which
29 has accrued under a support order entered by the court. The
30 charge shall be imposed in accordance with the provisions of
31 Section 10-21 of the Illinois Public Aid Code and shall be
32 enforced by the court upon petition.

33 (h) All orders for support, when entered or modified,
34 shall include a provision requiring the non-custodial parent

1 to notify the court and, in cases in which party is receiving
2 child and spouse support services under Article X of the
3 Illinois Public Aid Code, the Illinois Department of Public
4 Aid, within 7 days, (i) of the name and address of any new
5 employer of the non-custodial parent, (ii) whether the
6 non-custodial parent has access to health insurance coverage
7 through the employer or other group coverage and, if so, the
8 policy name and number and the names of persons covered under
9 the policy, and (iii) of any new residential or mailing
10 address or telephone number of the non-custodial parent. In
11 any subsequent action to enforce a support order, upon a
12 sufficient showing that a diligent effort has been made to
13 ascertain the location of the non-custodial parent, service
14 of process or provision of notice necessary in the case may
15 be made at the last known address of the non-custodial parent
16 in any manner expressly provided by the Code of Civil
17 Procedure or this Act, which service shall be sufficient for
18 purposes of due process.

19 (i) An order for support shall include a date on which
20 the current support obligation terminates. The termination
21 date shall be no earlier than the date on which the child
22 covered by the order will attain the age of majority or is
23 otherwise emancipated. The order for support shall state
24 that the termination date does not apply to any arrearage
25 that may remain unpaid on that date. Nothing in this
26 subsection shall be construed to prevent the court from
27 modifying the order.

28 (j) An order entered under this Section shall include a
29 provision requiring the obligor to report to the obligee and
30 to the clerk of court within 10 days each time the obligor
31 obtains new employment, and each time the obligor's
32 employment is terminated for any reason. The report shall be
33 in writing and shall, in the case of new employment, include
34 the name and address of the new employer. Failure to report

1 new employment or the termination of current employment, if
2 coupled with nonpayment of support for a period in excess of
3 60 days, is indirect criminal contempt. For any obligor
4 arrested for failure to report new employment bond shall be
5 set in the amount of the child support that should have been
6 paid during the period of unreported employment. An order
7 entered under this Section shall also include a provision
8 requiring the obligor and obligee parents to advise each
9 other of a change in residence within 5 days of the change
10 except when the court finds that the physical, mental, or
11 emotional health of a party or that of a minor child, or
12 both, would be seriously endangered by disclosure of the
13 party's address.

14 (Source: P.A. 90-18, eff. 7-1-97; 90-539, eff. 6-1-98;
15 90-655, eff. 7-30-98; 91-767, eff. 6-9-00.)

16 Section 99. Effective date. This Act takes effect upon
17 becoming law.